

JUDGE: BURGESS

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON, AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BARRY T. MCGARVEY,

Defendant.

NO. CR05-5346FDB

AGREED ORDER  
CONTINUING PRETRIAL MOTIONS  
CUTOFF DATE AND TRIAL DATE

Upon the stipulation of the parties to continue the trial date and the pretrial motions cutoff date in the above-captioned case, and that CARL BLACKSTONE, Assistant U.S. Attorney, is in agreement to a continuance, and that the defendant has agreed to execute a waiver of his speedy trial right, and that such a continuance is necessary for effective case preparation and would serve the ends of justice and outweigh the best interests of the public and the defendant in a speedy trial; therefore,

IT IS HEREBY ORDERED that the pre-trial motion cutoff date of May 27, 2005 is continued to July 1, 2005, and the trial date of July 11, 2005 is continued to September 6, 2005 at 9:00 a.m.

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1 IT IS FURTHER ORDERED that pursuant to Title 18, United States Code, Section 3161(h),  
2 the period of time from the current trial date of July 11, 2005 up to and including the new trial date of  
3 September 6, 2005, for the defendant, is excluded in the computation of time under the Speedy Trial Act  
4 as this is a reasonable period of delay.

5 DONE this 23<sup>rd</sup> day of June, 2005.

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7  
8 /s/ Franklin D Burgess  
9 FRANKLIN D BURGESS  
10 UNITED STATES DISTRICT JUDGE

11 Presented by:

12 /s/ RONALD D. NESS  
13 State Bar Number 5299  
14 Ronald D. Ness & Associates  
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19 E-Mail: info@nesslaw.com

20 Approved by:

21 /s/ CARL BLACKSTONE  
22 Assistant U.S. Attorney  
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